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**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

# Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions*

**Addendum**

## Observations on communications transmitted to Governments and replies received

* Reproduced as received.

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# I. Introduction

1. The present report contains observations by the Special Rapporteur on extrajudicial, summary or arbitrary executions on communications sent between 1 March 2016 and 28 February 2017 and responses received from States and other actors between 1 May 2016 and 30 April 2017. The report, including its statistics and analysis, does not provide an overview of all violations to the right to life occurring in the reporting period, only of those addressed in the communications sent by the Special Rapporteur during that period.

2. During the period under review, the Special Rapporteur sent 98 communications to 45 States and one other actor. 92 communications were sent jointly with other mandates, while six communications were sent by this mandate alone. Of all communications sent, 63 were urgent appeals and 30 were allegation letters.

3. The Special Rapporteur received responses to 39 out of 98 communications sent within the reporting period. She thanks all Governments who have replied to communications for their cooperation. 59 of the communications are yet to be responded to. In this period, the Special Rapporteur also received replies to 11 previous communications, i.e. sent prior to the reporting period, for which she is grateful. This means that the overall timely response rate for communications sent by this mandate was approximately 40 per cent, six per cent lower compared to the previous reporting period. This rate is significantly lower than the system-wide reply rate for special procedures communications (55 per cent in 2016). Moreover, it should be noted that some of the responses included in this number are also purely procedural in nature.

4. In its resolution 26/12, the Human Rights Council urged States "[t]o cooperate with and assist the Special Rapporteur in the performance of his or her tasks, to supply all necessary information requested by him or her and to react appropriately and expeditiously to his or her urgent appeals, and those Governments that have not yet responded to communications transmitted to them by the Special Rapporteur to do so without further delay". Therefore, the Special Rapporteur reiterates her appeal to all Governments to respond to communications in a timely manner so as to cooperate with her mandate efficiently in accordance with Human Rights Council Resolution 26/12.

5. This report compiles in two tables the correspondence sent and received during the period under review: Tabulation (A) of cases transmitted and replies received to communications sent during the reporting period, and Tabulation (B) of cases transmitted to States concerning alleged violations of death penalty safeguards. At the end of each tabulation, the Special Rapporteur offers her observations on the communications sent and the replies received during the reporting period.

6. The full text of each communication sent and reply received during the reporting period can be found in the online communications database, available at: https://spcommreports.ohchr.org/Tmsearch/TMDocuments.

# II. Tabulation (A) of cases transmitted and replies received to communications sent during the reporting period

7. In Tabulation (A) all communications have been grouped by country, with countries listed alphabetically according to their names in English. Each communication is referenced as urgent appeal (UA), allegation letter (AL), joint urgent appeal (JUA) or joint allegation letter (JAL). This is followed by the date of transmission of the communication, the case number and, when applicable, the reply by the Government or non-State actor.

## A. Violations alleged

8. In Tabulation (A) on communications sent and replies received, the violations are classified into the following categories, using the short versions in parentheses:

(a) Non-respect of international standards on safeguards and restrictions relating to the imposition of capital punishment ("Death penalty safeguards");

(b) Death threats and fear of imminent extrajudicial executions by State officials, paramilitary groups, or groups cooperating with or tolerated by the Government, as well as unidentified persons who may be linked to the categories mentioned above, when the Government is failing to take appropriate protection measures ("Death threats");

(c) Deaths in custody owing to torture, neglect, or the use of force, or fear of death in custody due to life-threatening conditions of detention ("Deaths in custody");

(d) Deaths due to the use of force by law enforcement officials or persons acting in direct or indirect compliance with the State, when the use of force is inconsistent with the criteria of absolute necessity and proportionality ("Excessive force");

(e) Deaths due to attacks or killings by security forces of the State, or by paramilitary groups, death squads, or other private forces cooperating with or tolerated by the State ("Attacks or killings");

(f) Violations of the right to life during armed conflict, especially of the civilian population and other non-combatants, contrary to international humanitarian law ("Armed conflict");

(g) Expulsion, refoulement, or return of persons to a country or a place where their lives are in danger ("Expulsion");

(h) Lack of investigation or accountability, leading to impunity, lack of compensation or concerns for the rights of victims ("Impunity").

(i) Concerns about a legislative framework ("Legislation").

## B. Character of replies received

9. The replies received have been classified according to the following six categories designed to assist the Human Rights Council in its task of evaluating the responses received to the communications sent within the reporting period and the effectiveness of the mandate:

(a) "No response" denotes the absence of a response to a communication sent within the reporting period;

(b) "Recent communication" denotes the absence of a response to a communication sent within the past 60 days[1];

(c) "Acknowledgement of receipt" refers to a reply acknowledging receipt that the communication was received and/or that it has been transmitted to the relevant State authorities;

[1] This concerns (Joint) Allegations Letters only.

(d) "Addresses some substantive issues" characterizes a reply that provided information on certain substantive issues raised in the communication;

(e) "Substantive response" denotes a reply that is responsive to the allegations and that substantively clarifies the alleged facts. It does not, however, imply that the action taken necessarily complies with international human rights law.

(f) "Translation awaited" indicates that a response has been received, but has not yet been translated by the relevant services of the United Nations.

## C. Tabulation (A)

| *Country* | *Type of communication** | *Date and case* | *Subjects concerned* | *Reply and type of reply* | *Violations alleged* |
|---|---|---|---|---|---|
| Afghanistan | JUA | 03/05/2016 (AFG 1/2016) | Group of individuals (prisoners) | No response | Death penalty safeguards |
| Bahrain | JAL | 15/08/2016 (BHR 6/2016) | 1 male | Addresses some substantive issues 14/10/2016 | Death penalty safeguards |
| | JUA | 19/01/2017 (BHR 1/2017) | 5 males | Addresses some substantive issues 21/02/2017 | Death penalty safeguards |
| Bangladesh | JUA | 08/04/2016 (BGD 1/2016) | 1 male | Acknowledgement of receipt 15/04/2016 | Death penalty safeguards |
| | JUA | 28/04/2016 (BGD 2/2016) | Group of individuals (protesters) | Acknowledgement of receipt 02/05/2016 | Excessive force; attacks or killings |
| | JAL | 31/05/2016 (BGD 3/2016) | 2 individuals (human rights defenders – LGBTI rights) | No response | Attacks or killings; death threats |
| | JUA | 29/07/2016 (BGD 5/2016) | 1 male | No response | Death penalty safeguards |
| | JAL | 17/02/2017 (BGD 1/2017) | 1 male (journalist/human rights defender) | Recent communication | Attacks or killings |
| Brazil | JAL | 20/09/2016 (BRA 6/2016) | Group of individuals (human rights defenders, including land rights defenders, journalists and bloggers) | Addresses some substantive issues 21/02/2017 | Attacks or killings; death threats |

* Type of Communication: UA: Urgent Appeal; JUA: Joint Urgent Appeal; AL: Letter of Allegation; JAL: Joint Letter of Allegation.

| *Country* | *Type of communication** | *Date and case* | *Subjects concerned* | *Reply and type of reply* | *Violations alleged* |
|---|---|---|---|---|---|
| | UA | 10/02/2017 (BRA 2/2017) | Group of individuals | No response | Attacks or killings |
| Bolivia | JAL | 16/02/2017 (BOL 1/2017) | Legislation | Recent communication | Legislation |
| Burundi | JUA | 18/03/2016 (BDI 5/2016) | Group of individuals (human rights defenders) | No response | Death threats |
| | JUA | 01/02/2017 (BDI 1/2017) | Group of individuals (human rights defenders) | No response | Attacks or killings ; death threats |
| Cambodia | JAL | 12/07/2016 (KHM 4/2016) | 1 male (human rights defender/ political activist) | Substantive response 25/08/2016 | Attacks or killings |
| Cameroon | JUA | 10/02/2017 (CMR 3/2017) | 1 male (human rights defender) | No response | Excessive force |
| Colombia | JUA | 11/03/2016 (COL 2/2016) | Group of individuals | Substantive response 18/01/2017 | Attacks or killings; death threats; impunity |
| | JUA | 15/04/2016 (COL 4/2016) | 2 individuals (human rights defenders) | Substantive response 26/05/2016 | Attacks or killings; death threats |
| | JUA | 02/05/2016 (COL 5/2016) | Group of individuals (human rights defenders) | Addresses some substantive issues 09/11/2016 | Death threats |
| | JAL | 04/07/2016 (COL 6/2016) | Group of individuals (indigenous community) | Acknowledgement of receipt 29/08/2016 Substantive response 12/10/2016 | Excessive force; attacks or killings |
| | JUA | 27/10/2016 | 5 individuals (indigenous | Addresses some substantive | Attacks or killings |

| Country | Type of communication* | Date and case (COL 7/2016) | Subjects concerned community) | Reply and type of reply issues 02/12/2016 | Violations alleged |
|---|---|---|---|---|---|
| Cuba | JUA | 20/04/2016 (CUB 1/2016) | 1 female (political activist) | Substantive response 22/06/2016 | Death threats |
| Democratic Republic of the Congo | JAL | 19/05/2016 (COD 2/2016) | 1 male (human rights defender) | No response | Attacks or killings |
| | JUA | 22/07/2016 (COD 6/2016) | 1 female | No response | Attacks or killings; impunity |
| | JUA | 22/09/2016 (COD 7/2016) | Group of individuals (protesters) | No response | Excessive force ; attacks or killings |
| | JUA | 21/12/2016 (COD 10/2016) | Group of individuals (minority) | No response | Attacks or killings; impunity |
| Egypt | JUA | 24/02/2017 (EGY 2/2017) | 12 males | No response | Death penalty safeguards; deaths in custody |
| Ethiopia | JUA | 10/05/2016 (ETH 1/2016) | Group of individuals (abducted children) | No response | Attacks or killings |
| | JUA | 02/09/2016 (ETH 2/2016) | Group of individuals (protesters) | No response | Excessive force; attacks or killings |
| | JUA | 07/10/2016 (ETH 5/2016) | Group of individuals (protesters) | No response | Excessive force; attacks or killings |
| | JAL | 26/10/2016 (ETH 4/2016) | Group of individuals (prisoners) | No response | Attacks or killings; deaths in custody |
| | JUA | 29/12/2016 (ETH 7/2016) | Group of individuals (abducted children) | No response | Attacks or killings |

| Country | Type of communication* | Date and case | Subjects concerned | Reply and date of reply | Violations alleged |
|---|---|---|---|---|---|
| France | JAL | 17/02/2017<br>(FRA 1/2017) | 3 males (people of African descent) | Substantive response<br>19/04/2017 | Excessive force |
| Gabon | JAL | 22/09/2016<br>(GAB 1/2016) | Group of individuals (protesters, human rights defenders) | Addresses some substantive issues<br>05/10/2016<br>Substantive response<br>18/11/2016 | Excessive force; attacks or killings |
| Gambia | JAL | 18/05/2016<br>(GMB 1/2016) | 1 male (protester) | No response | Attacks or killings, Excessive force; deaths in custody, death threats |
| Guatemala | JAL | 08/02/2017<br>(GTM 7/2016) | Group of individuals (human rights defenders) | Addresses some substantive issues<br>01/03/2017 | Attacks or killings; death threats |
| Haiti | JAL | 26/10/2016<br>(HTI 3/2016) | Group of individuals (1 child) | No response | Death threats |
| | JUA | 19/01/2017<br>(HTI 2/2017) | 1 male (human rights defender) | No response | Death threats |
| Honduras | JUA | 08/03/2016<br>(HND 2/2016) | 1 male and 1 female (human rights defenders-environment) | Addresses some substantive issues<br>14/03/2016<br>Addresses some substantive response<br>01/04/2016 | Attacks or killings; death threats |
| | JUA | 18/03/2016<br>(HND 3/2016) | 1 male and a group of individuals (human rights defender-environment) | Addresses some substantive issues<br>01/04/2016 | Attacks or killings; death threats |
| | JUA | 03/11/2016 | 4 individuals and two groups of individuals (human rights defenders, including land rights | No response | Attacks or killings; death threats; excessive force |

| Country | Type of communication* | Date sent (DMD 9/2016) | Subjects concerned and indigenous rights defenders | Reply received and type of reply | Concerns alleged |
|---|---|---|---|---|---|
| India | JAL | 28/07/2016 (IND 9/2016) | Group of individuals (protesters) | Substantive response 27/09/2016 | Excessive force, attacks or killings |
| Indonesia | JAL | 24/03/2016 (IDN 1/2016) | Group of individuals | No response | Excessive force, attacks or killings |
| | JUA | 13/05/2016 (IDN 5/2016) | Group of individuals (between 10 to 15 prisoners) | No response | Death penalty safeguards |
| | RE | 21/06/2016 (IDN 6/2016) | Legislation | No response | Legislation |
| | JUA | 27/07/2016 (IDN 7/2016) | Group of individuals (15 prisoners) | No response | Death penalty safeguards |
| Iran, Islamic Republic of | JUA | 08/04/2016 (IRN 6/2016) | 1 male | No response | Death penalty safeguards |
| | JUA | 06/05/2016 (IRN 11/2016) | 1 male | Addresses some substantive issues 04/01/2017 | Death penalty safeguards |
| | JUA | 13/05/2016 (IRN 13/2016) | 1 male | Addresses some substantive issues 26/10/2016 | Death penalty safeguards |
| | JUA | 01/06/2016 (IRN 18/2016) | 1 male | Addresses some substantive issues 17/11/2016 | Death penalty safeguards |
| | JUA | 05/08/2016 (IRN 22/2016) | 1 male | No response | Death penalty safeguards |

| Country | Type of communication* | Date and case | Subjects concerned | Reply and type of reply | Violations alleged |
|---|---|---|---|---|---|
| | JUA | 12/10/2016<br>(IRN 27/2016) | 1 female | Addresses some substantive issues<br>17/11/2016 | Death penalty; safeguards |
| | JUA | 28/12/2016<br>(IRN 33/2016) | 3 males | Addresses some substantive issues<br>31/01/2017 | Death penalty; safeguards |
| | JUA | 16/01/2017<br>(IRN 2/2017) | 1 male | No response | Death penalty; safeguards |
| | JUA | 31/01/2017<br>(IRN 5/2017) | 1 male | Addresses some substantive issues<br>07/03/2017 | Death penalty; safeguards |
| Iraq | JAL | 21/12/2016<br>(IRQ 2/2016) | Group of individuals | No response | Armed conflicts |
| Israel | JAL | 30/03/2016<br>(ISR 3/2016) | 2 males (human rights defender) | No response | Excessive force; attacks or killings; death threats |
| | JUA | 15/04/2016<br>(ISR 6/2016) | Group of individuals (human rights defenders) | No response | Death threats |
| | JUA | 18/07/2016<br>(ISR 7/2016) | 2 males (minors) | No response | Excessive force; death threats |
| Kenya | JUA | 26/05/2016<br>(KEN 3/2016) | Group of individuals (protesters, human rights defenders, journalists and political activists) | No response | Excessive force; attacks or killings |
| | JAL | 26/07/2016<br>(KEN 4/2016) | 3 males (including a human rights lawyer and human rights defender) | No response | Attacks or killings; Excessive force |
| Lesotho | JAL | 29/07/2016<br>(LSO 2/2016) | 1 male (journalist) | Substantive response<br>22/09/2016 | Attacks or killings |

| *Country* | *Type of communication** | *Date and case* | *Subjects concerned* | *Reply and type of reply* | *Violations alleged* |
|---|---|---|---|---|---|
| Malaysia | JUA | 24/03/2016 (MYS 3/2016) | 3 males | No response | Death penalty safeguards |
| | UA | 23/02/2017 (MYS 1/2017) | 2 males | Recent communication | Death penalty safeguards |
| Maldives | JUA | 30/06/2016 (MDV 2/2016) | 1 male | No response | Death penalty safeguards |
| Mauritania | JUA | 28/11/2016 (MRT 3/2016) | 1 male (blogger) | No response | Death penalty safeguards |
| Mexico | JUA | 25/07/2016 (MEX 7/2016) | 1 male, 1 female and a group of individuals (human rights defenders) | Substantive response 14/10/2016 | Attacks or killings |
| | JAL | 15/08/2016 (MEX 6/2016) | Group of individuals (protesters and journalists) | Addresses some substantive issues 06/01/2017 | Excessive force; attacks or killings |
| Mozambique | JAL | 17/03/2016 (MOZ 1/2016) | 2 males (political activist and human rights defender) | No response | Attacks or killings |
| | JAL | 05/08/2016 (MOZ 3/2016) | Group of individuals(including children) | No response | Excessive force; attacks or killings |
| | JAL | 25/08/2016 (MOZ 2/2016) | Group of individuals (human rights defenders and political activists) | Acknowledgement of receipt 29/08/2016 | Attacks or killings; death threats |
| Myanmar | JUA | 05/10/2016 (MMR 3/2016) | 3 males | Addresses some substantive issues 22/12/2016 | Excessive force; attacks or killings |
| | JUA | 21/10/2016 (MMR 4/2016) | Group of individuals (minorities) | Substantive response 20/01/2017 | Excessive force ; attacks or killings |
| Other actors | JAL | 31/05/2016 | 1 male (human rights defender- | No response | Attacks or killings |

| *Country* | *Type of communication** | *Date and case* | *Subjects concerned* | *Reply and type of reply* | *Violations alleged* |
|---|---|---|---|---|---|
| | | (OTH 17/2016) | environment) | | |
| Pakistan | JUA | 16/03/2016<br>(PAK 6/2016) | 1 female (human rights defender-LGBT) | No response | Attacks or killings; death threats; impunity |
| | JUA | 26/09/2016<br>(PAK 9/2016) | 1 male | No response | Death penalty safeguards |
| | AL | 30/11/2016<br>(PAK 10/2016) | Legislation | No response | Legislation |
| Philippines | JAL | 24/05/2016<br>(PHL 1/2016) | Group of individuals (indigenous community; land rights defenders; protesters) | No response | Excessive force; attacks or killings |
| | JUA | 17/08/2016<br>(PHL 2/2016) | Group of individuals | No response | Excessive force; attacks or killings |
| | UA | 21/12/2016<br>(PHL 4/2016) | Legislation | No response | Legislation |
| | AL | 03/02/2017<br>(PHL 1/2017) | 6 individuals | Acknowledgement of receipt<br>10/02/2017 | Excessive force; attacks or killings |
| | AL | 28/02/2017<br>(PHL 3/2017) | 9 individuals | Recent communication | Excessive force; attacks or killings |
| Saudi Arabia | JUA | 22/03/2016<br>(SAU 2/2016) | 3 males | Acknowledgement of receipt<br>28/07/2016 | Death penalty safeguards |
| | JAL | 01/09/2016<br>(SAU 5/2016) | 6 males | Substantive response<br>17/01/2017 | Death penalty safeguards |
| | JUA | 21/11/2016<br>(SAU 7/2016) | 1 male | Substantive response<br>17/01/2017 | Death penalty safeguards |

| Country | Type of communication* | Date and case | Subject(s) concerned | Reply and type of reply | Violations alleged |
|---|---|---|---|---|---|
| Singapore | JUA | 18/05/2016 (SGP 3/2016) | 1 male | Substantive response 27/06/2016 | Death penalty safeguards |
| | JUA | 17/11/2016 (SGP 6/2016) | 1 male | Addresses some substantive issues 25/01/2017 | Death penalty safeguards |
| South Africa | JAL | 31/05/2016 (ZAF 1/2016) | 1 male (human rights defender-environment) | No response | Attacks or killings |
| | JUA | 28/11/2016 (ZAF 2/2016) | Legislation, Group of individuals | No response | Legislation, death in custody |
| South Sudan | JUA | 10/05/2016 (SSD 1/2016) | Group of individuals (minority) | No response | Attacks or killings |
| Sudan | JUA | 03/05/2016 (SDN 3/2016) | Group of individuals (prisoners) | No response | Death penalty safeguards |
| | JUA | 25/08/2016 (SDN 6/2016) | 4 males and 2 females (human rights defenders) | No response | Death penalty safeguards |
| Thailand | JUA | 13/06/2016 (THA 2/2016) | 3 males, 3 females and a group of individuals (human rights defenders, including environmental and land rights defenders) | No response | Attacks or killings; death threats |
| Uganda | JAL | 29/06/2016 (UGA 5/2016) | 6 individuals( including human rights defenders) | Acknowledgement of receipt 14/07/2016 | Attacks or killings; death threats, impunity |
| USA | JUA | 28/10/2016 (USA 11/2016) | 1 male | Substantive response 13/12/2016 | Death penalty safeguards |
| | JUA | 03/11/2016 (USA 13/2016) | 1 male | No response | Death penalty safeguards |

| *Country* | *Type of communication** | *Date and case* | *Subjects concerned* | *Reply and type of reply* | *Violations alleged* |
|---|---|---|---|---|---|
| Venezuela | JUA | 24/03/2016 (VEN 3/2016) | 28 persons | Substantive response 04/07/2016 | Attacks or killings |
| | JOL | 14/06/2016 (VEN 7/2016) | Legislation | Substantive response 17/08/2016 | Legislation |
| Zambia | JAL | 09/03/2016 (ZMB 1/2016) | 4 individuals (albinism) | No response | Attacks or killings |

## D. Replies received to communications sent outside the reporting period

| *Country* | *Type of communication* | *Date* | *Subject(s) concerned* | *Reply* | *Violation(s) alleged* |
|---|---|---|---|---|---|
| Democratic Republic of the Congo | JAL | 10/12/2015 (COD 5/2015) | Group of individuals (including human rights defenders and political activists) | Acknowledgement of receipt 02/02/2016 Substantive response 15/02/2016 Substantive response 02/03/2016 | Attacks or killings, impunity |
| Guatemala | JAL | 26/02/2016 (GTM 2/2016) | Group of individuals | Substantive response 24/05/2016 | Death threats; Impunity |
| Iran | JUA | 11/11/2015 (IRN 21/2015) | 3 males | Addresses some substantive issues 04/05/2016 | Death penalty safeguards |

| | | | | | |
|---|---|---|---|---|---|
| | JUA | 20/01/2016 (IRN 3/2016) | 1 female | Addresses some substantive issues 07/07/2016 | Death penalty safeguards |
| Saudi Arabia | JUA | 30/09/2015 (SAU 5/2015) | 1 male | Substantive response 04/05/2016 | Death penalty safeguards |
| Singapore | JUA | 30/10/2015 (SGP 3/2015) | 1 male | Substantive response 27/06/2016 | Death penalty safeguards |
| Sudan | JUA | 20/01/2016 (SDN 1/2016) | 25 individuals | Substantive response 29/04/2016 | Death penalty safeguards, Fair trial concerns |
| USA | AL | 01/12/2015 (USA 20/2015) | Group of individuals | Substantive response 13/05/2016 | Attacks or killings |
| Venezuela | JAL | 24/02/2016 (VEN 2/2016) | 1 male(human rights lawyer) | Substantive response 07/09/2016 | Attacks or killings |
| Viet Nam | JUA | 30/10/2015 (VNM 1/2015) | 2 males | Substantive response 19/04/2017 | Death penalty safeguards; death in custody; death threats |
| | JUA | 25/11/2015 (VNM 2/2015) | 1 male and 1 female(human rights lawyers) | Substantive response 19/04/2017 | Attacks or killings; death threats |

## E. Observations on Tabulation (A)

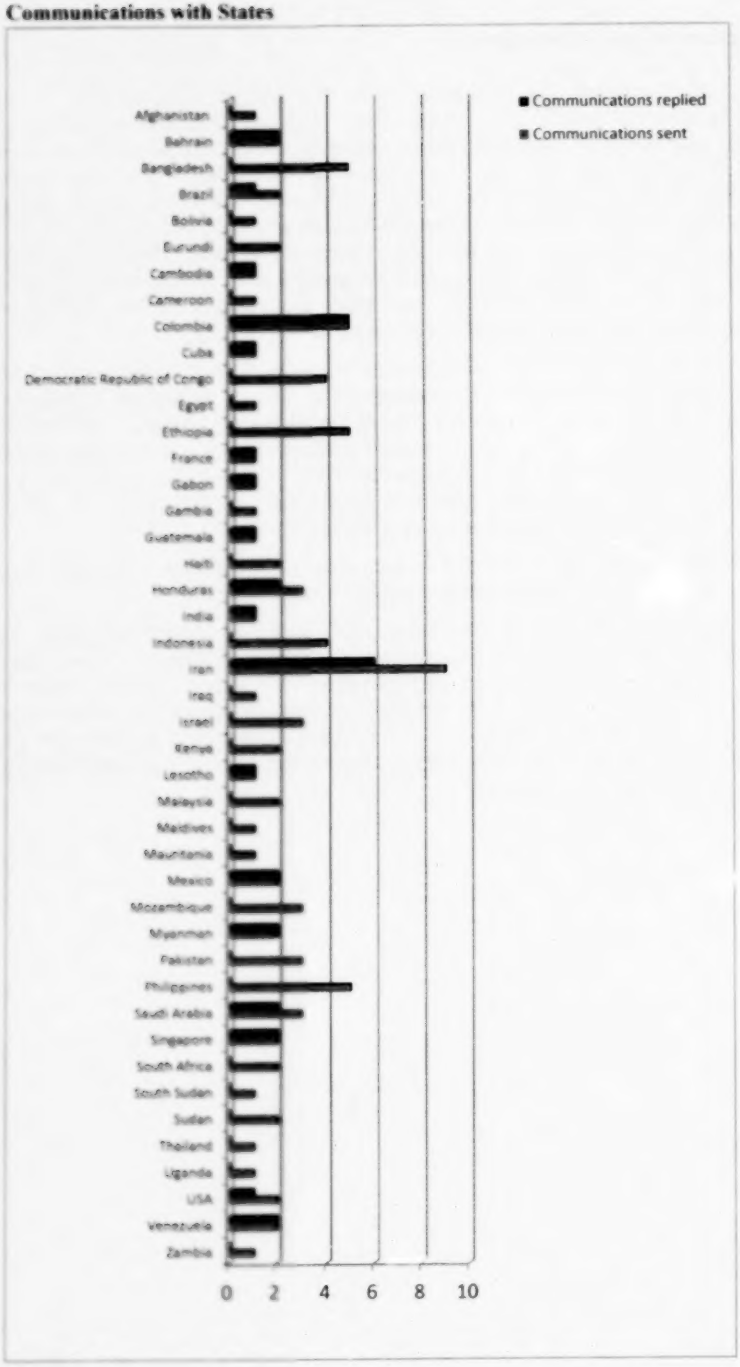
10. During the reporting period, many States have replied to one or more of the communications addressed to them (21 out of 45). The Special Rapporteur would like to thank all States who have responded substantively and in a timely manner to all or some of the communications sent (21). The assessment of individual cases in which the Special Rapporteur has intervened is an essential part of her work and she is grateful for the collaboration that she has received. The Special Rapporteur would like to thank particularly the Governments of Bahrain, Colombia, Cuba, France, Gabon, Guatemala, India, Lesotho Mexico, Myanmar, Singapore and Venezuela for having replied substantively (addressing all or some of the questions raised) and within the required deadline to all the communications addressed to them in the reporting period.

11. A handful of States did not submit a timely reply to any of the communications sent, or have submitted merely an acknowledgement of receipt, including: Afghanistan, Bangladesh, Cameroon, Democratic Republic of Congo, Egypt, Ethiopia, The Gambia, Haiti, Indonesia, Iraq, Israel, Kenya, Malaysia, Maldives, Mauritania, Mozambique, Pakistan, Philippines, South Africa, South Sudan, Sudan, Thailand, Uganda and Zambia. The responses from some of these States have arrived after the required deadline and for that reason fall outside of the reporting period of the present report.

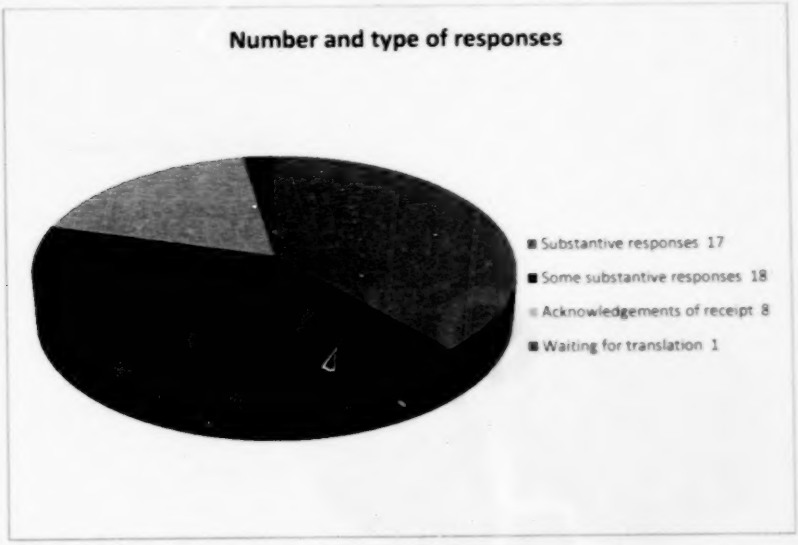
12. In all instances where no responses were received, the Special Rapporteur urges Governments to provide substantive responses as soon as possible.

13. To provide a global perspective on the communications with States during the reporting period, the table below reflects the number of communications sent to each State and the number of replies of a substantive nature received from them within the required deadline. Such replies comprise both substantive replies and replies that address some substantive issues. Acknowledgements of receipt are not considered as replies for the purpose of this table, as they do not provide an effective response to the questions raised in the cases transmitted to Governments.

**Communications with States**



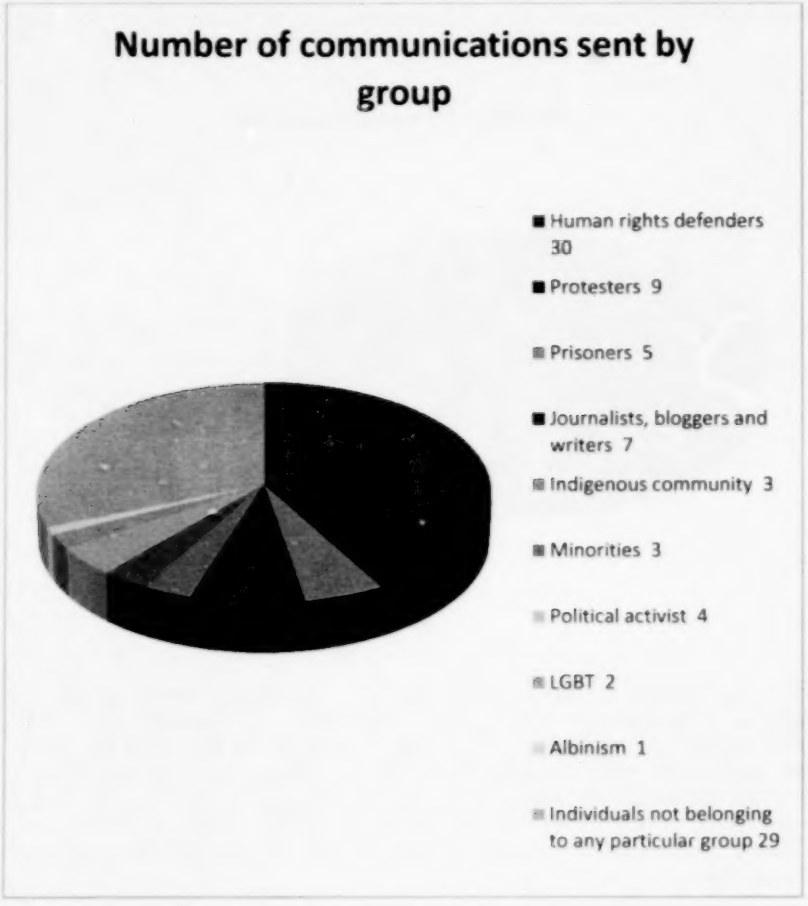
14. Of all communications sent to States, 17 received a substantive response, 18 received responses that addressed some substantive issues, eight received acknowledgements of receipt that were not followed by a substantive reply, and one is in translation. As mentioned above, 54 communications did not receive any type of response.


Number and type of responses
Substantive responses 17
Some substantive responses 18
Acknowledgements of receipt 8
Waiting for translation 1

15. The tabulation of communications sent during the reporting period indicates the groups of people addressed in the communications sent by the Special Rapporteur. The main groups of people addressed in the communications (by number of communications sent) were: human rights defenders (30), protesters (9), prisoners (5), journalists, bloggers or writers (7), indigenous community (3), persons belonging to minorities (3), political activists (4), lesbian, gay, bisexual and transgender (LGBT) people (2), persons with albinism (1). Additionally, 29 communications were sent concerning individuals who did not belong to any particular group.

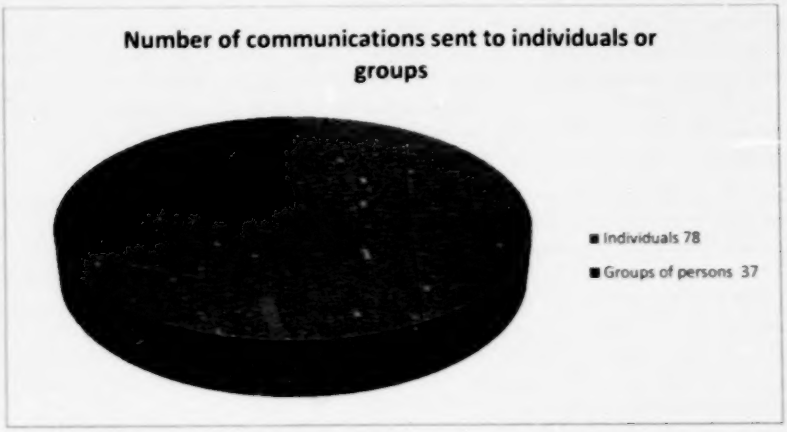
16. The Special Rapporteur is concerned that again in this reporting period human rights defenders feature as the group most frequently addressed in communications sent by the mandate. She recalls that States have the responsibility to ensure that human rights defenders are able to conduct their work without risks or threats to their life. States play a vital role in not only respecting and protecting the rights of human rights defenders but also in establishing preventive measures to avoid risk or harm, and in ensuring effective accountability. Moreover, States should consider the extent to which their own public response to the work of human rights defenders may be inciting violence against defenders, legitimizing a climate in which attacks can be perpetrated with impunity, or perceived as condoning such violence. As mentioned in the last reporting period, the level of

responsiveness of the State to threats against human rights defenders or their work can significantly determine the dangers they face because of their important work.[2]

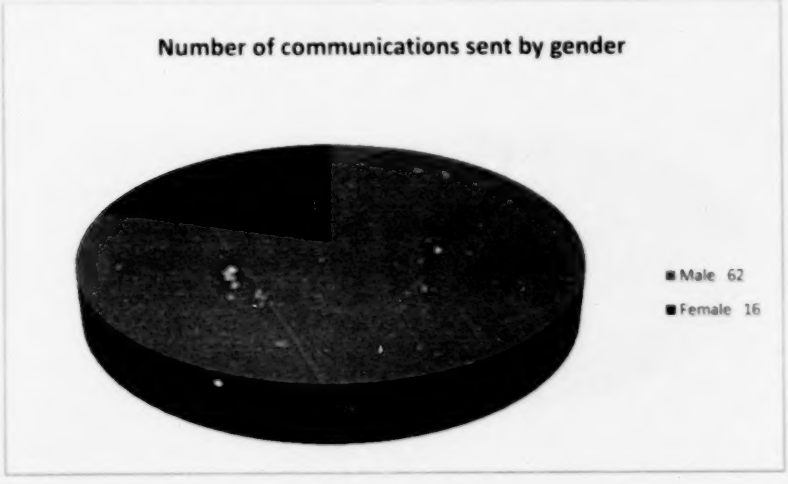



17. Overall, 78 persons were addressed individually in the communications sent in this period. This does not include the persons addressed as part of a group on which there was no information on the identity of individual victims. 37 groups of persons were the subject of communications in this period.

[2] A/HRC/32/39/Add.3, p.23.




18. As indicated in the table below, the communications concerning male victims (62) represented approximately 63.2% of the communications sent in the reporting period while the communications concerning female victims (16) represented approximately 16.3% of the communications sent in the same period. However, numerous communications sent during the reporting period addressed the situation of groups of persons on which there was no information regarding the sex or gender of the victim.

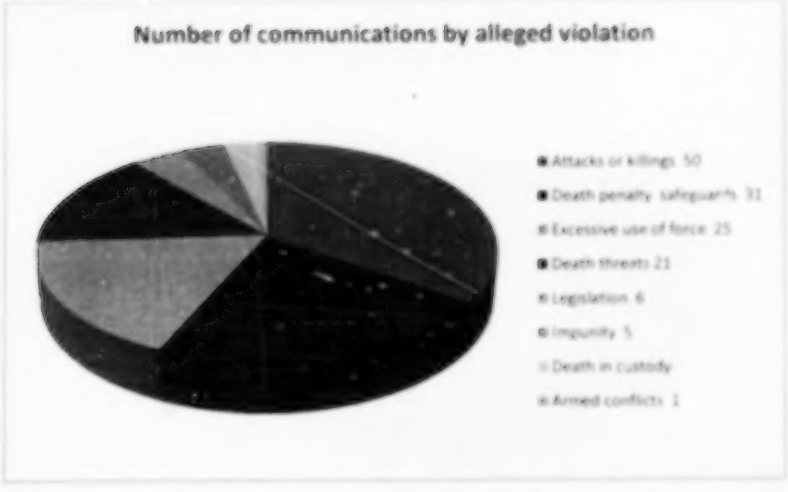



19. The main alleged violations covered in the communications sent during the reporting period were: attacks or killings (50); violation of death penalty safeguards (31), excessive use of force (25), death threats (21), concerns about legislative frameworks (6) , impunity for violations of the right to life (5), deaths in custody (4) and violations of the right to life in the context of armed conflict (1). Alleged attacks or killings feature prominently again this year in the number of communications sent, followed by alleged violations of the death penalty safeguards, excessive use of force and death threats.

20. States have an essential role to play in curbing levels of violence and reducing killings and attacks to life and personal security. Not only must they ensure that their agents refrain from endangering life when performing their duties, they should also protect from harm by non-State actors. This obligation includes taking all appropriate measures to prevent the deprivation of life by non-State actors, as well as to investigate, prosecute and punish non-State actors that have deprived others of their life.

21. Since its establishment, the mandate of the Special Rapporteur on extra-judicial, summary or arbitrary executions has focused on a variety of situations that have involved or included killings by non-State actors and has offered valuable recommendations to address or prevent them. These situations have been brought to fore in reports or observations covering issues such as, but not limited to, inter-communal killings, killings by vigilante, militias and mob justice, killings by bandits, killings by corporations, social cleansing killings, honor killings, witchcraft killings, "femicide," gender-based violence by vigilante groups, killings on the basis of gender or sexual identity, as well as killings or attacks in the context of armed conflicts.

22. The Special Rapporteur plans to build on the work of her predecessors and, where necessary, expand on this to reflect the changing nature of violations of the right to life. In so doing, she will seek to survey and identify good practices with regard to States' responsibilities to protect against killings by non-State actors, as well as further explore the direct human rights responsibilities of non-State actors, including, but not limited to, situations of armed conflict.



## III. Tabulation (B) of cases transmitted to States concerning alleged violations of death penalty safeguards

23. Because of the urgency of the cases brought to her attention, the Special Rapporteur sends many communications concerning the unlawful application of the death penalty.

24. In its resolution 17/5, the Human Rights Council requested the Special Rapporteur in carrying out her mandate "[t]o continue to monitor the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment, bearing in mind the comments made by the Human Rights Committee in its interpretation of article 6 of the International Covenant on Civil and Political Rights, as well as the Second Optional Protocol thereto". In this respect, the Special Rapporteur has included the following table on the status of individuals who were the subject of concern with regard to the application of the death penalty in the present report. She urges all concerned States to provide updated information on the status of the subjects of these urgent appeals.

25. Tabulation (B) provides details on the 31 cases transmitted to Governments with regards to alleged violations of death penalty safeguards, including identity of the individuals concerned, the charges brought against them, the alleged violations of death penalty safeguards, and an update on the current situation of these individuals (i.e. whether executions have taken place or not).

### A. Violations alleged

26. In Tabulation (B) of cases transmitted to States concerning alleged violations of death penalty safeguards, the violations are classified into the following categories:

(a) Fair trial concerns.
(b) Not "most serious crimes".
(c) Extraction of confession under torture / duress
(d) Juvenile at time of offense.
(e) Execution of a person with intellectual or psychosocial disability.
(f) Mandatory imposition of the death penalty
(g) Imposition of the death penalty by Federal Government for facts that occurred in abolitionist state.
(h) Assistance of abolitionist State in the investigation of crimes that may result in the imposition of the death penalty in another State.

## B. Tabulation (B)

| Country | Date appeal sent | Date response received | Name of individual | Charge alleged | Violation alleged | Status on list as could be established |
|---|---|---|---|---|---|---|
| Afghanistan | 03/05/2016 | | Mr. Anas Haqani<br>Mr. Hafiz Abdul Rashid | Terrorism-related offences | Fair trial concerns | Remain at risk |
| Bahrain | 15/08/2016 | 18/10/2016 | Mr. Mohamad Ramadan | Terrorism-related offences | Fair trial concerns; extraction of confession under torture | Remains at risk |
| | 19/01/2017 | 21/02/2017 | Mr. Abbas al Samea<br>Mr. Ali al Singace<br>Mr. Hussein Moosa<br>Mr. Sami Mushaima<br>Mr. Mohamad Ramadan | Terrorism-related offences | Fair trial concerns; extraction of confession under torture; juvenile at time of offense | Mr. Abbas Al Samea , Mr. Ali al Singace and Mr. Sami Mushaima were executed on 15/01/2017.<br>Mr. Hussein Moosa and Mr. Mohamad Ramadan remain at risk. |
| Bangladesh | 08/08/2016 | 15/08/2016 | Mr. Motiur Rahman Nizami | Murder and/or mass killings | Fair trial concerns | Mr. Motiur Rahman Nizami executed on 11/05/2016 |
| | 29/07/2016 | | Mr. Mir Quasem Ali | Crimes against humanity | Fair trial concerns | Mr. Mir Quasem Ali executed on 03/09/2016 |
| Egypt | 28/02/2017 | | Mr. Reda Mohamad Fahmy Abd al Moneim<br>Mr. Ahmed Amin Ghazali<br>Mr. Mahmoud al-Sharif Mahmoud<br>Mr. Mohamed Fawzi Abd al-Gawad Mahmoud<br>Mr. Ahmed Mostafa Ahmed | Terrorism-related offences | Fair trial concerns; extraction of confession under torture; juvenile at time of offense | Mr. Reda Mohamad Fahmy Abd al Moneim, Mr. Ahmed Amin Ghazali, Mr. Mahmoud al-Sharif Mahmoud, Mr. Mohamed Fawzi Abd al-Gawad Mahmoud, Mr. Ahmed Mostafa Ahmed Mohamed and Mr. Abdul Basir Abdul Rauf remain at risk. |

| Country | Date appeal sent | Date response received | Name of individual | Charge alleged | Violation alleged | Status as far as could be established |
|---|---|---|---|---|---|---|
| | | | Mohamed<br>Mr. Abdul Basit Abdul Rauf | | | |
| Indonesia | 13/05/2016 | | Mr. Agus Hadi<br>Mr. Humphrey Jefferson Ejike Ilowuke<br>Mr. Pujo Lestari (and between 7 and 12 other unnamed prisoners) | Drug offences | Fair trial concerns; not "most serious crimes" | Mr. Humphrey Jefferson Ejike Ilowuke executed on 29/07/2016.<br>Mr. Agus Hadi and Mr. Pujo Lestari remain at risk. |
| | 27/07/2016 | | Mr. Agus Hadi<br>Mr. Eugenia Ape<br>Mr. Freddy Budiman<br>Mr. Frederich Luiter<br>Mr. Gurdip Singh<br>Mr. Humphrey Jefferson Ejike Ilowuke<br>Ms. Merri Utami<br>Mr. Michael Titus Igweh<br>Mr. Obinna Nwajagu<br>Mr. Okonkwo Nonso Kingsley<br>Mr. Ozias Sibanda<br>Mr. Pujo Lestari<br>Mr. Seck Osmane<br>Mr. Zulficar Ali<br>**Mr. Suryanto** | Drug offences | Fair trial concerns; not "most serious crimes"; extraction of confession under torture; | Mr. Humphrey Jefferson Ejike Ilowuke, Mr. Freddy Budiman, Mr. Michael Titus Igweh, Mr. Seck Osmane executed on 29/07/2016.<br>Mr. Agus Hadi, Mr. Frederich Luiter, Mr. Gurdip Singh, Ms. Merri Utami , Mr. Obinna Nwajagu , Mr. Okonkwo Nonso Kingsley, Mr. Ozias Sibanda, Mr. Pujo Lestari, Mr. Suryanto and Mr. Ozias Sibanda remain at risk. |
| Iran | 08/04/2016 | | Mr. Rashid Kouhi | Drug offenses | Fair trial concerns; not "most serious crimes" | Mr. Rashid Kouhi executed on 09/04/2016. |
| | 06/05/2016 | 04/01/2017 | Identity withheld | Murder | Fair trial concerns; juvenile at time of | Remains at risk |

| Country | Date appeal sent | Date response received | Name of individual | Charges alleged | Violations alleged | Status as far as could be established |
|---|---|---|---|---|---|---|
| | | | | | offense | |
| | 13/05/2016 | 26/10/2016 | Identity withheld | Murder | Fair trial concerns; extraction of confession under torture; juvenile at time of offense | Remains at risk |
| | 01/06/2016 | 17/11/2016 | Mr. Mohammad Reza Haddadi | Murder | Fair trial concerns; juvenile at time of offense | Remains at risk |
| | 05/08/2016 | | Mr. Barzan Nasrollah Zadeh | Enmity against god; murder | Fair trial concerns; juvenile at time of offense | Remains at risk |
| | 12/10/2016 | 17/11/2016 | Ms. Zeinab Sekaanvand Lokran | Murder | Fair trial concerns; extraction of confession under duress; juvenile at time of offense | Remains at risk |
| | 28/12/2016 | 31/01/2017 | Mr. Himan Ouraminejad<br>Mr. Salar Shadizadi<br>Mr. Vali Yousef Zehi | Murder; drug offenses | Fair trial concerns; juvenile at time of offense | Remain at risk |
| | 16/01/2017 | | Identity withheld | Murder | Fair trial concerns: juvenile at time of offense | Remains at risk |
| | 31/01/2017 | 07/03/2017 | Mr. Hamid Ahmadi | Murder | Fair trial concerns; extraction of confession under torture; juvenile at time of offense | Remains at risk |
| Malaysia | 24/03/2016 | | Mr. Gunasegar Pitchaymuthu | Murder | Mandatory death penalty | Mr. Gunasegar Pitchaymuthu |

| Country | Date appeal sent | Date response received | Name of individual | Charge alleged | Violation alleged | Status as far as could be established |
|---|---|---|---|---|---|---|
| | | | Mr. J Ramesh Jayakumar<br>Mr. Sasivarnam Jayakumar | | | Mr. J Ramesh Jayakumar and Mr. Sasivarnam Jayakumar executed on 25/03/2016. |
| | 23/02/2017 | | Mr. Suthar Batumalai<br>Mr. B. Rames Batumalai | Murder | Fair trial concerns; mandatory death penalty | Mr. Suthar Batumalai and Mr. B. Rames Batumalai were executed on 15/03/2017 |
| Maldives | 30/06/2016 | | Mr. Hussain Humaam Ahmed | Murder | Fair trial concerns; extraction of confession under duress | Remains at risk |
| Mauritania | 28/11/2016 | | Mr. Mohamed Cheikh Ould M'kheitir | Apostasy | Fair trial concerns; not "most serious crimes" | On the 31/01/2017, the Supreme Court decided to resend the case to the court of Nouhadibou for a new trial. |
| Pakistan | 26/09/2016 | | Mr. Imdad Ali | Murder | Fair trial concerns; execution of a person with intellectual or psychological disabilities | Remains at risk |
| Saudi Arabia | 22/03/2016 | 28/07/2016 | Mr. Abdullah al-Zaher<br>Mr. Ali Mohammed al-Nimr<br>Mr. Dawoud al-Marhoon | Treason; terrorism-related offences | Fair trial concerns; extraction of confession under torture ; juvenile at time of offense | Remain at risk |
| | 01/09/2016 | 17/01/2017 | Mr. Ali Mohammed al-Nimr<br>Mr. Mojtaba Nader Abdullah Suwaiket<br>Mr. Munir Al Adam | Treason; apostasy, terrorism-related offences | Fair trial concerns; extraction of confession under torture ; juvenile at time of offense | Mr. Ali Mohammed al-Nimr, Mr. Mojtaba Nader Abdullah Suwaiket and Mr. Munir Al Adam remain at risk. |

| Country | Date appeal sent | Date response received | Name of individual | Charge alleged | Violation alleged | Status as far as could be established |
|---|---|---|---|---|---|---|
| | | | Mr. Sheikh Nimr al-Nimr | | | Sheikh Nimr al-Nimr executed on 02/01/2016. |
| | 21/11/2016 | 17/01/2017 | Mr. Mojtaba Nader Abdullah Suwaiket | Disobedience; attack on security forces | Fair trial concerns; extraction of confession under torture; juvenile at time of offense | Remains at risk |
| Singapore | 18/05/2016 | 27/06/2016 | Mr. Kho Jabing (foreign national) | Unintentional murder | Not "most serious crimes" | Mr. Kho Jabing executed on 20/05/2016 |
| | 17/11/2016 | 25/01/2016 | Mr. Chijioke Stephen Obioha (foreign national) | Drug offenses | Not "most serious crimes"; mandatory death sentence | Mr. Chijioke Stephen Obioha executed on 18/11/2016 |
| Sudan | 03/05/2016 | | Identity withheld<br>Identity withheld<br>Identity withheld<br>Identity withheld<br>Identity withheld<br>Identity withheld<br>Identity withheld<br>Identity withheld<br>Mr. James Arol Annie Arole<br>Identity withheld<br>Identity withheld<br>Mr. Joseph Malonge Ayaat Gig<br>Identity withheld<br>Identity withheld<br>Identity withheld<br>Identity withheld<br>Identity withheld<br>Identity withheld | Terrorism-related offences | Fair trial concerns; juvenile at time of offense; execution of a person with intellectual or psychological disabilities; Not "most serious crimes". | Remain at risk |

| *Country* | *Date appeal sent* | *Date response received* | *Name of individual* | *Charge alleged* | *Violation alleged* | *Status as far as could be established* |
|---|---|---|---|---|---|---|
| | | | Identity withheld | | | |
| | | | Identity withheld | | | |
| | | | Identity withheld | | | |
| | | | Identity withheld | | | |
| | | | Identity withheld | | | |
| | | | Identity withheld | | | |
| | | | Identity withheld | | | |
| | 25/08/2016 | | Mr. Alhassan Kheiri<br>Ms. Arwa Elrabie<br>Ms. Imany Leyla Raye<br>Mr. Khalafalla Mukhtar<br>Mr. Midhat Hamadan<br>Mr. Mustafa Adam | Terrorism-related offences | Fair trial concerns. Not "most serious crimes". | Mr. Alhassan Kheiri, Ms. Arwa Elrabie and Ms. Imany Leyla Raye had their charges dropped on 19/01/2017.<br>Mr. Khalafalla Mukhtar, Mr. Midhat Hamadan and Mr. Mustafa Adam werereleased on 06/03/2017 after paying the fines imposed. |
| USA | 28/10/2016 | 13/12/2016 | Mr. Kevin Cooper | Murder | Fair trial concerns | Remains at risk |
| | 03/11/2016 | | Mr. Thomas Arthur | Murder | Fair trial concerns | Executed on 25/05/2017 |

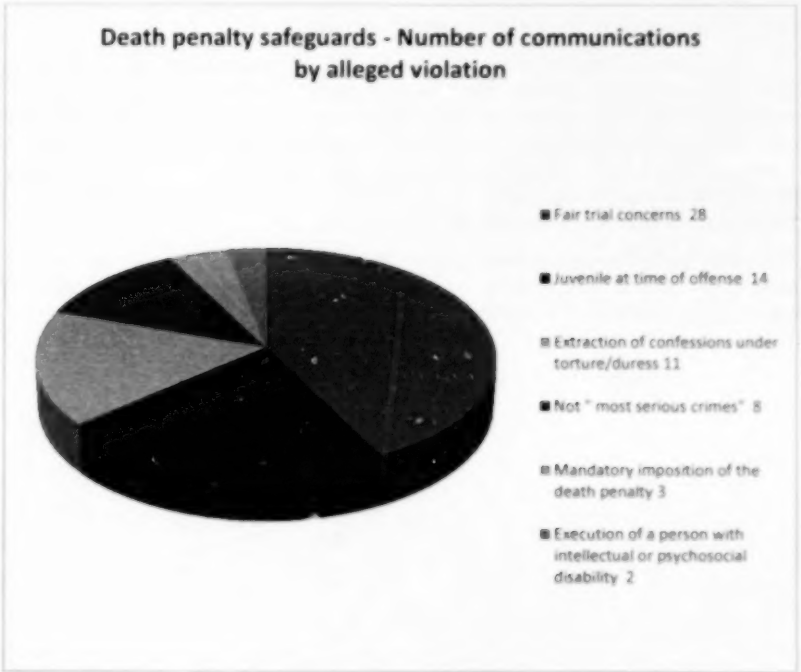
## C. Replies received to communications sent outside the reporting period

| *Country* | *Date appeal sent* | *Date response received* | *Name of individual* | *Charge alleged* | *Violation alleged* | *Status as far as could be established* |
|---|---|---|---|---|---|---|
| Iran | 11/11/2015 | 04/05/2016 | Mr. Shahram Ahmadi<br>Mr. Milad Azimiand<br>Mr. Mohammad Ali Zehi | Enmity against god; murder; drug offenses | Fair trial concerns; extraction of confession under torture ; juvenile at time of offense | Mr. Shahram Ahmadiexecuted on 02/08/2016.<br>Mr. Milad Azimiand and Mr. Mohammad Ali Zehi remain at risk |
| | 20/01/2016 | 07/07/2016 | Ms. Fariba Khalegi | Adultery | Fair trial concerns; not "most serious crimes" | Remains at risk |
| Saudi Arabia | 30/09/2015 | 04/05/2016 | Mr. Husain Abu al Khair (foreign national) | Drug offenses | Fair trial concerns; not "most serious crimes"; extraction of confession under torture | Remains at risk |
| Singapore | 30/10/2015 | 27/06/2016 | Mr. Kho Jabing (foreign national) | Unintentional murder | Fair trial concerns; not most serious crimes; | Mr. Kho Jabing executed on 20/05/2016 |
| Viet Nam | 30/10/2015 | 19/04/2017 | Mr. Le Van Manh | Murder | Fair trial concerns; extraction of confession under torture | Remains at risk |

## D. Observations on Tabulation (B)

27. It should be noted that the communications the Special Rapporteur sends to States on the subject of the death penalty are followed-up upon on the basis of a desk-based review. The Special Rapporteur expresses her continued gratitude to various civil society and advocacy organizations that facilitate this follow up. Establishing, at the very least, whether an individual has indeed been executed subsequent to a communication transmitted to the Government provides a helpful reference to whether the sending of these urgent appeals is effective in ensuring that States abide by international standards, prospectively, in their application of the death penalty. According to available information, executions were registered in 8 of the 14 countries addressed in Tabulation (B).

28. As indicated in the table below, the main alleged violations covered in the cases transmitted to Governments during the reporting period were: fair trial concerns in judicial procedures leading to the imposition of the death penalty (28); juvenile at time of offense (14), extraction of confessions under torture/duress (11); the imposition of the death penalty for crimes which do not meet the threshold of the "most serious crimes" (8); mandatory imposition of the death penalty (3), and execution of a person with intellectual or psychosocial disability (2).


Death penalty safeguards - Number of communications by alleged violation
Fair trial concerns 28
Juvenile at time of offense 14
Extraction of confessions under torture/duress 11
Not " most serious crimes" 8
Mandatory imposition of the death penalty 3
Execution of a person with intellectual or psychosocial disability 2

29. The Special Rapporteur continuous to be alarmed at the number of cases in which the death sentence was allegedly imposed following judicial procedures that fall short of international standards of fair trial and due process, a necessary requirement for the lawful imposition of this type of punishment. Twenty-eight out of the 31 communications

considered in Tabulation (B) address this issue. The Special Rapporteur wishes to remind States that have retained this form of punishment that the death penalty may only be carried out following a legal process that provides all possible safeguards to ensure a fair trial, and that only full respect of these guarantees distinguishes capital punishment as possibly permitted under international law from an arbitrary execution.

30. She is also concerned that in eight communications sent to States, the conviction of the defendant relied upon confessions extracted under torture. This manifestly undermines the credibility that the sentence was imposed during a fair trial. The extraction of confessions under torture and the acceptance of such confessions as evidence of guilt constitute flagrant violations of both the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

31. The Special Rapporteur is further concerned that again during this reporting period, several communications addressed the imposition of the death penalty for offences that do not meet the threshold of "most serious crime", in particular for drug offenses, terrorism related offences, adultery, unintentional murder, disobedience, treason, apostasy and "enmity against god". Amongst those, drug and terrorism related offences were the charges most frequently imposed. In this regard, the Special Rapporteur would like to restate that under international law, the death penalty may only be imposed for the "most serious crimes" which has been interpreted to mean "intentional killing". Drug related offences and many terrorism-related offences do not involve killing, much less intentional killing, and as such may not constitute the basis of any sentence to death.

32. The Special Rapporteur has also frequently sent communications regarding the planned execution of individuals who must be protected from the death penalty (16): most commonly those suffering from a psycho-social disability (2), or those who have been convicted for crimes committed as juveniles, in some cases those who are still juveniles (14 communications). In this latter case, the Special Rapporteur underlines that the burden of proof should rest on the prosecution to demonstrate that a defendant was an adult at the time of the commission of the alleged crime.

33. The Special Rapporteur would like to restate, as did her predecessors, that any death sentence undertaken in contravention of a Government's international obligations is tantamount to an arbitrary execution.